

REMARKS

Amended claims 89, 98, 107 and 108 are pending in the application and are submitted for review.

Claims 89, 98, 107 and 108 are Independent claims. These claims have been amended to further specify and distinguish the art claimed within this Application per the teleconference between the Applicant and Examiner dated 6/7/06. These amendments have been also made to further distinguish the art in this application from the prior art cited, including specifically DeLaHuerga 6,408,330 and Uchida 6,370,258. As previously stated the applicant has amended these four Independent claims to more clearly distinguish the novelty and art of this invention over prior art.

Independent Claims 89 and 98 are being rejected under 35 USC 103 (a) as being unpatentable over DelaHuerga 6,408,330 in view of Uchida 6,370,258. It is respectfully submitted that these amendments to claims 89 and 98 address the 35 USC 103 obvious rejections outlined in the latest 5/26/06 Office Action. DelaHuerga and Uchida do not teach each and every element of the claim limitations of amended claims 89 and 98 to support an obviousness claim. The applicant specifically points to the addition of the organization and ranking elements in the amended claims, and the amended element of outputting the digital records based on said organization and ranking. The applicant, in his opening remarks, has given ample justification for these amendments base on the numerous detailed descriptions in the specification for the ranking and organization elements. In addition, there is a very real practical need to organize and rank multiple copies of medical records and tests in a computer system, while maintaining historical records and tests for reference, so as not to unduly burden medical staff while treating patients. In addition, it would not have been obvious

to one skilled in the art to make the combinations of elements contained in these amended claims. In addition, there is no suggestion of motivation on the part of Delahuerge and Uchida to make this combination of claim elements. In addition, there is no suggestion of a reasonable expectation of success on the part of Delahuerge and Uchida for making the combination of elements contained in these amended claims. Therefore, the rejection of claims 89 and 95 under 35 USC 103 should be withdrawn.

Claims 90-97 are being rejected under 35 USC 103 as being unpatentable over Delahuerge in view of Uchida. Claims 90-97 depend from claim 89. Therefore, the reasons set forth above distinguishing claim 89 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Delahuerge in view of Uchida does not teach each and every element of claims 90-97 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claims 90-97 under 35 USC 103 as being unpatentable over Delahuerge in view of Uchida should be withdrawn.

Claims 98-106 are being rejected under 35 USC 103 as being unpatentable over Delahuerge in view of Uchida. Claims 98-106 depend from claim 89. Therefore, the reasons set forth above distinguishing claim 89 apply equally here and are incorporated herein. Thus, for at least the above identified reasons Delahuerge in view of Uchida does not teach each and every element of claims 98-106 to support an obviousness rejection under 35 USC 103. Therefore, the rejection of claims 98-106 under 35 USC 103 as being unpatentable over Delahuerge in view of Uchida should be withdrawn.

Independent Claims 107 and 108 are being rejected under 35 USC 103 (a) as being unpatentable over Delahuerge 6,408,330 in view of Uchida 6,370,258. It is respectfully submitted that these amendments to claims 107 and 108 address the 35 USC 103 obvious rejections outlined in the latest 5/26/06 Office Action.

DeLahuga and Uchida do not teach each and every element of the claim limitations of amended claims 107 and 1088 to support an obviousness claim. The applicant specifically points to the addition of the organization and ranking elements in the amended claims, and the amended element of outputting the digital records based on said organization and ranking. The applicant, in his opening remarks, has given ample justification for these amendments based on the numerous detailed descriptions in the specification for a ranking and organization scheme. In addition, there is a very real practical need to organize and rank multiple copies of medical records and tests in a computer system while maintaining historical records and tests for reference, so as not to unduly burden medical staff while treating patients. In addition, it would not have been obvious to one skilled in the art to make the combinations of elements contained in these amended claims. In addition, there is no suggestion of motivation on the part of Delahuerge and Uchida to make this combination of claim elements. In addition, there is no suggestion of a reasonable expectation of success on the part of Delahuerge and Uchida for making the combination of elements contained in these amended claims. Therefore, the rejection of claims 107 and 108 under 35 USC 103 should be withdrawn.

The applicant respectfully submits that all 103 rejections to the claims have been addressed by virtue of these amended claims. The applicant notes that the arguments and amendments presented herein apply to the art of Rhoads and Powell cited by the Examiner. The applicant respectfully requests that the examiner allow amended claims 89-108 as presented herein.

William R. Uchida
Inventor